

**53B-17-101. Legislative findings on public broadcasting and telecommunications for education.**

The Legislature finds and determines the following:

- (1) The University of Utah's Dolores Dore' Eccles Broadcast Center is the statewide public broadcasting and telecommunications facility for education in Utah.
- (2) The center shall provide services to citizens of the state in cooperation with higher and public education, state and local government, and private industry.
- (3) Distribution services provided through the center shall include KUED - TV, KUER - FM, and KUEN - TV.
- (4) KUED - TV and KUER - FM are licensed to the University of Utah.
- (5) The Utah Education and Telehealth Network's broadcast entity, KUEN - TV, is licensed to the Utah State Board of Regents and, together with UETN, is operated on behalf of the state's systems of public and higher education.
- (6) All the entities referred to in Subsection (3) are under the administrative supervision of the University of Utah, subject to the authority and governance of the State Board of Regents.
- (7) This section neither regulates nor restricts a privately owned company in the distribution or dissemination of educational programs.

Amended by Chapter 63, 2014 General Session

**53B-17-101.5. Definitions.**

As used in this part:

- (1) "Board" means the Utah Education and Telehealth Network Board.
- (2) "Education Advisory Council" means the Utah Education Network Advisory Council created in Section 53B-17-107.
- (3) "Telehealth" means the electronic transfer, exchange, or management of related data for diagnosis, treatment, and consultation, and educational, public health, or other related purposes.
- (4) "Telehealth Advisory Council" means the Utah Telehealth Advisory Council created in Section 53B-17-106.
- (5) "Utah Education and Telehealth Network," or "UETN," means a consortium and partnership between public and higher education, the Utah Department of Health, and health care providers, that is created in Section 53B-17-105.

Enacted by Chapter 63, 2014 General Session

**53B-17-103. General powers of University of Utah related to public broadcasting and telecommunication for education.**

- (1) Subject to applicable rules of the Federal Communications Commission and the State Board of Regents, the University of Utah shall:
  - (a) serve as the state's provider of public television services, with programming from the Public Broadcasting Service and other syndicated and locally produced programs;
  - (b) serve as the state's primary provider of public radio services, with programming from National Public Radio and other syndicated and locally produced

programs; and

(c) subject to Section 53B-7-103, accept and use gifts and apply for and receive funds from federal and other sources to carry out the purposes of this part.

(2) Subject to future budget constraints, the Legislature shall provide an annual appropriation to operate KUED - TV.

(3) This section neither regulates nor restricts a privately owned company in the distribution or dissemination of educational programs.

Amended by Chapter 150, 2006 General Session

**53B-17-104. Responsibilities of the State Board of Regents, the State Board of Education, the University of Utah, KUED - TV, KUER - FM, and UETN related to public broadcasting and telecommunication for education and government.**

(1) Subject to applicable rules of the Federal Communications Commission and Section 53B-17-105, the State Board of Regents, the State Board of Education, the University of Utah, KUED - TV, KUER - FM, and UETN shall:

(a) coordinate statewide services of public radio and television;

(b) develop, maintain, and operate statewide distribution systems for KUED - TV, KUER - FM, and KUEN, the statewide distance learning service, the educational data network, connections to the Internet, and other telecommunications services appropriate for providing video, audio, and data telecommunication services in support of public and higher education, state government, and public libraries;

(c) support the delivery of these services to as many communities as may be economically and technically feasible and lawfully permissible under the various operating licenses;

(d) cooperate with state and local governmental and educational agencies and provide leadership and consulting service for telecommunication for education;

(e) represent the state with privately owned telecommunications systems to gain access to their networks for the delivery of programs and services sponsored or produced by public and higher education;

(f) acquire, produce, coordinate, and distribute a variety of programs and services of an educational, cultural, informative, and entertaining nature designed to promote the public interest and welfare of the state;

(g) coordinate with the state system of higher education to acquire, produce, and distribute broadcast and nonbroadcast college credit telecourses, teleconferences, and other instructional and training services;

(h) coordinate with school districts and public schools to acquire, produce, and distribute broadcast and nonbroadcast telecourses, teleconferences, and other instructional and training services to the public schools;

(i) coordinate the development of a clearing house for the materials, courses, publications, media, software, and other applicable information related to the items addressed in Subsections (1)(g) and (h);

(j) coordinate the provision of the following services to public schools:

(i) broadcast, during school hours, of educational and administrative programs recommended by the State Board of Education;

- (ii) digitization of programs for broadcast purposes; and
  - (iii) program previewing;
  - (k) share responsibility for Instructional Television (ITV) awareness and utilization; and
  - (l) provide teleconference and training services for state and local governmental agencies.
- (2) This section neither regulates nor restricts a privately owned company in the distribution or dissemination of education programs.

Amended by Chapter 63, 2014 General Session

**53B-17-105. Utah Education and Telehealth Network.**

- (1) There is created the Utah Education and Telehealth Network, or UETN.
- (2) UETN shall:
  - (a) coordinate and support the telecommunications needs of public and higher education, public libraries, and entities affiliated with the state systems of public and higher education as approved by the Utah Education and Telehealth Network Board, including the statewide development and implementation of a network for education, which utilizes satellite, microwave, fiber-optic, broadcast, and other transmission media;
  - (b) coordinate the various telecommunications technology initiatives of public and higher education;
  - (c) provide high-quality, cost-effective Internet access and appropriate interface equipment for schools and school systems;
  - (d) procure, install, and maintain telecommunication services and equipment on behalf of public and higher education;
  - (e) develop or implement other programs or services for the delivery of distance learning and telehealth services as directed by law;
  - (f) apply for state and federal funding on behalf of:
    - (i) public and higher education; and
    - (ii) telehealth services;
  - (g) in consultation with health care providers from a variety of health care systems, explore and encourage the development of telehealth services as a means of reducing health care costs and increasing health care quality and access, with emphasis on assisting rural health care providers and special populations; and
  - (h) in consultation with the Utah Department of Health, advise the governor and the Legislature on:
    - (i) the role of telehealth in the state;
    - (ii) the policy issues related to telehealth;
    - (iii) the changing telehealth needs and resources in the state; and
    - (iv) state budgetary matters related to telehealth.
- (3) In performing the duties under Subsection (2), UETN shall:
  - (a) provide services to schools, school districts, and the public and higher education systems through an open and competitive bidding process;
  - (b) work with the private sector to deliver high-quality, cost-effective services;
  - (c) avoid duplicating facilities, equipment, or services of private providers or public telecommunications service, as defined under Section 54-8b-2;

(d) utilize statewide economic development criteria in the design and implementation of the educational telecommunications infrastructure; and

(e) assure that public service entities, such as educators, public service providers, and public broadcasters, are provided access to the telecommunications infrastructure developed in the state.

(4) The University of Utah shall provide administrative support for UETN.

(5) (a) The Utah Education and Telehealth Network Board, which is the governing board for UETN, is created.

(b) The Utah Education and Telehealth Network Board shall have 13 members as follows:

(i) four members representing the state system of higher education appointed by the commissioner of higher education;

(ii) four members representing the state system of public education including:

(A) three members appointed by the State Board of Education; and

(B) one member representing the Utah State Office of Education appointed by the state superintendent;

(iii) one member representing applied technology centers appointed by the president of the Utah College of Applied Technology;

(iv) one member representing the state library appointed by the state librarian;

(v) two members representing hospitals as follows:

(A) the members may not be employed by the same hospital system;

(B) one member shall represent a rural hospital;

(C) one member shall represent an urban hospital; and

(D) the chief administrator or the administrator's designee for each hospital licensed in this state shall select the two hospital representatives; and

(vi) one member representing the office of the governor, appointed by the governor.

(c) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term.

(d) (i) The board shall elect a chair.

(ii) The chair shall set the agenda for the board meetings.

(6) A member of the board may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:

(a) Section 63A-3-106;

(b) Section 63A-3-107; and

(c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

(7) The board:

(a) shall hire an executive director for UETN who may hire staff for UETN as permitted by the budget;

(b) may terminate the executive director's employment or assignment;

(c) shall determine the executive director's salary;

(d) shall annually conduct a performance evaluation of the executive director;

(e) shall establish policies the board determines are necessary for the operation of UETN and the administration of UETN's duties; and

(f) shall advise UETN in:

(i) the development and operation of a coordinated, statewide, multi-option telecommunications system to assist in the delivery of educational services and telehealth services throughout the state; and

(ii) acquiring, producing, and distributing instructional content.

(8) The executive director of UETN shall be an at-will employee.

(9) UETN shall locate and maintain educational and telehealth telecommunication infrastructure throughout the state.

(10) Educational institutions shall manage site operations under policy established by UETN.

(11) Subject to future budget constraints, the Legislature shall provide an annual appropriation to operate UETN.

(12) If the network operated by the Department of Technology Services is not available, UETN may provide network connections to the central administration of counties and municipalities for the sole purpose of transferring data to a secure facility for backup and disaster recovery.

Enacted by Chapter 63, 2014 General Session

**53B-17-106. Utah Telehealth Advisory Council.**

(1) There is created the Utah Telehealth Advisory Council, which may, at the discretion of the board, and after July 1, 2015, be combined with the Utah Education Advisory Council created in Section 53B-17-107.

(2) The Utah Telehealth Advisory Council members shall be appointed by the board.

(3) (a) The Telehealth Advisory Council shall annually elect a chairperson from its membership. The chair shall set the agendas for the meetings of the advisory council and shall report to the board.

(b) The Telehealth Advisory Council shall hold meetings at least once every three months. Meetings may be held from time to time on the call of the chair or a majority of the board members.

(4) A member may not receive compensation or benefits for the member's service, but, at the executive director's discretion, may receive per diem and travel expenses in accordance with:

(a) Section 63A-3-106;

(b) Section 63A-3-107; and

(c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

(5) The board shall provide staff support to the council.

(6) The council shall:

(a) advise and make recommendations on telehealth service issues to the board and other state entities;

(b) advise and make recommendations on telehealth-related patient privacy to the board;

(c) promote collaborative efforts to establish technical compatibility, uniform policies, and privacy features to meet legal, financial, commercial, and other societal requirements;

- (d) identify, address, and seek to resolve the legal, ethical, regulatory, financial, medical, and technological issues that may serve as barriers to telehealth service;
- (e) explore and encourage the development of telehealth as a means of reducing health care costs and increasing health care quality and access, with emphasis on assisting rural health care providers and special populations with access to or development of electronic medical records; and
- (f) seek public input on telehealth issues.

Enacted by Chapter 63, 2014 General Session

**53B-17-107. Utah Education Advisory Council.**

(1) (a) There is created the Utah Education Advisory Council which may, at the discretion of the board, and after July 1, 2015, be combined with the Utah Telehealth Advisory Council created in Section 53B-17-106.

(b) The Utah Education Advisory Council members shall be appointed by the board.

(c) The Utah Education Advisory Council shall annually elect a chairperson from its membership. The chair shall set the agenda for Utah Education Advisory Council meetings and report to the board.

(d) The Utah Education Advisory Council shall hold meetings at least once every three months. Meetings may be held from time to time on the call of the chair or a majority of the board members.

(2) A member of the Utah Education Advisory Council may not receive compensation or benefits for the member's service, but at the executive director's discretion may receive per diem and travel expenses in accordance with:

- (a) Section 63A-3-106;
- (b) Section 63A-3-107; and
- (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

(3) The Utah Education Advisory Council shall:

- (a) advise the board and other public entities regarding:
    - (i) the coordination of the various telecommunications technology initiatives of public and higher education;
    - (ii) how to provide high-quality, cost-effective Internet access and appropriate interface equipment for schools and school systems;
    - (iii) recommendations for the procurement, installation, and maintenance of telecommunication services and equipment on behalf of public and higher education; and
    - (iv) the development or implementation of other programs or services for the delivery of distance learning and digital health services as directed by law; and
  - (b) seek public input on the development and operation of a coordinated, statewide, multi-option telecommunications system to assist in the delivery of educational services and digital health services throughout the state.
- (4) The board shall provide staff to the council.

Enacted by Chapter 63, 2014 General Session

**53B-17-201. Proceeds from federal land grants for a Miners' Hospital for Disabled Miners -- Reporting requirements.**

(1) There is appropriated to the University of Utah all funds, assets, and revenues which have been, or will be, derived from the sale or other disposition of those lands conveyed to the state of Utah by those federal grants for a Miners' Hospital for Disabled Miners contained in Section 12 of the Enabling Act and in Chapter 280, Public Laws of the Seventieth Congress, 2nd Session (Act of February 20, 1929) which funds, assets, and revenues now are, or in the future will be, in the custody and control of the School and Institutional Trust Lands Board of Trustees.

(2) The University of Utah shall report annually to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee and the Higher Education Appropriations Subcommittee the following information regarding the administration and operation of the Miners' Hospital for Disabled Miners described in Subsection (1):

(a) for each of the five previous fiscal years:

(i) an income statement showing all revenue sources and expense categories;

(ii) total number of patients served; and

(iii) the types of service or care given to patients; and

(b) how the University of Utah plans to administer and operate the Miners' Hospital for Disabled Miners in the future.

Amended by Chapter 457, 2013 General Session

**53B-17-202. Use of funds -- Rehabilitation building.**

The funds, assets, and revenues shall be used for the construction, equipment, furnishings, and operation, or either or any of the same, on the campus of the university of a rehabilitation building, either as a separate structure or as an integrated unit in the University of Utah Medical Center.

Enacted by Chapter 167, 1987 General Session

**53B-17-301. Unclaimed dead bodies -- Notice to School of Medicine -- Preservation of dead bodies.**

(1) Any person who has charge over an unclaimed dead body that is to be buried at public expense shall notify the dean of the School of Medicine at the University of Utah within 24 hours after taking charge of the body.

(2) The notice shall specify the probable cause of death.

(3) At the dean's request, the person shall forward the body to the university, at its expense, within 24 hours of receiving the dean's request.

(4) The delivered body shall be properly embalmed and preserved for not less than 60 days. If a personal friend or relative of the deceased person requests the body for a private burial, during this time period, the person is given possession of the body.

Enacted by Chapter 167, 1987 General Session

**53B-17-302. Receipt for dead body -- Records.**

(1) A person delivering a body to the university under Section 53B-17-301 shall receive a receipt for the body.

(2) The School of Medicine is responsible for records kept on any body received under this section.

(3) The records shall include all facts necessary for proper identification of the body.

Enacted by Chapter 167, 1987 General Session

**53B-17-303. Use of unclaimed dead bodies for promotion of science.**

(1) A body unclaimed after 60 days under Section 53B-17-301 may be used for the following purposes:

(a) to promote medical and surgical science; and

(b) for instruction and study by physicians and students of anatomy and embalming.

(2) Once these purposes are accomplished, the remains are properly cremated or receive a decent burial.

Amended by Chapter 22, 1989 General Session

**53B-17-304. Failure to comply with chapter is a misdemeanor.**

A person who commits the following violations is guilty of a misdemeanor: (1) failure or neglect to give notice required under Subsection 53B-17-301(1); or (2) failure or neglect to forward a body upon request under Subsection 53B-17-301(3).

Enacted by Chapter 167, 1987 General Session

**53B-17-401. College of Mines and Earth Sciences -- Beneficiary of land grants -- Courses of study.**

(1) There is established a College of Mines and Earth Sciences at the University of Utah.

(2) The college is the beneficiary of all land grants and appropriations made or to be made by the United States to the state for the establishment and maintenance of a school of mines.

(3) The college may offer courses in and related to mining, metallurgical and electrical engineering, and other branches of engineering that pertain to mining.

Amended by Chapter 32, 1988 General Session

**53B-17-402. Utah Engineering Experiment Station.**

(1) There is established a Utah Engineering Experiment Station in conjunction with the College of Mines and Earth Sciences.

(2) The station is controlled and managed by the University of Utah.

Amended by Chapter 22, 1989 General Session



**53B-17-403. Functions of the station.**

(1) The station has the following functions: (a) to conduct experiments and investigations on matters that have the potential to benefit the state's industrial interests or would be for the public good; and (b) to inform the public of the results of the experiments and investigations conducted by the station.

(2) The station is not to conduct experiments or investigations on those matters that more properly relate to the functions of Utah State University's experiment station.

(3) The University of Utah makes an annual report on the engineering experiment station to the governor at a time designated by the governor.

Enacted by Chapter 167, 1987 General Session

**53B-17-501. Research park authorized.**

The Legislature determines that it is in the public interest of the state of Utah, its citizens, and commerce to develop a research park in Salt Lake County upon property conveyed to the University of Utah under patent from the United States of America dated October 18, 1968.

Enacted by Chapter 167, 1987 General Session

**53B-17-502. Definitions.**

As used in Sections 53B-17-501 through 53B-17-506:

(1) "Patent" means the patent covering the land acquired by the University of Utah from the United States of America dated October 18, 1968.

(2) "Research park" means research and development facilities, research institutes, testing laboratories, related business and government installations, and similar facilities, together with land, including all necessary appurtenances, rights, and franchises acquired and developed by the University of Utah which are suitable or necessary to promote the social welfare of the state of Utah through the advancement of education, science, research, economic development, and related purposes. The acquisition and provision of any one or more of the following facilities may be included as part of the development of land for the research park: water, sewage, drainage, street, road, sidewalk, curb, gutter, street lighting, electrical distribution, and docking, but only to the extent that the facilities are incidental to the use of the land as a research park.

Enacted by Chapter 167, 1987 General Session

**53B-17-503. Administration through nonprofit corporations or foundations -- Control -- Authority of corporations or foundations -- Personnel considered employees of university.**

(1) The University of Utah may establish, develop, and administer through nonprofit corporations or foundations controlled by the president and the State Board of Regents a research park upon the land acquired by the university under the patent.

(2) The nonprofit corporations or foundations may receive and administer legislative appropriations, government grants, contracts, and private gifts to carry out

their public purposes.

(3) All salaried employees, agents, officers, faculty, and staff of the nonprofit corporation or foundation are for the purpose of employee benefits, employees, agents, officers, faculty, and staff of the University of Utah.

Enacted by Chapter 167, 1987 General Session

**53B-17-504. Powers of university as related to research park.**

The University of Utah has the following powers:

(1) to establish, acquire, develop, maintain, and operate a research park, including the acquisition of all necessary or suitable buildings, facilities, and improvements, and to acquire, purchase, construct, reconstruct, improve, remodel, add to, extend, maintain, equip, and furnish the research park or any building or facility, including research and service facilities and areas intended for the common use of the research park tenants;

(2) to form nonprofit corporations or foundations to aid and assist the University of Utah to attain its charitable, scientific, literary, and educational objectives, including the acquisition, construction, financing, operation, and management of a research park;

(3) to lease to the nonprofit corporation or foundation all or part of the land and facilities included in the research park upon terms and conditions established by the University of Utah, and to enter into any other contract or agreement with the nonprofit corporation or foundation as necessary for the construction, financing, operation, and management of the research park;

(4) to lease, either directly or through a nonprofit corporation or foundation, to any person, firm, partnership, or corporation engaged in business for a profit any part or all of the land, buildings, or facilities of the research park under guidelines established by the university;

(5) to allow a lessee to acquire or construct necessary or suitable buildings, facilities, and improvements upon the leased property. Any improvements acquired or constructed upon the premises during the term of the lease reverts to and becomes the property of the university at the termination of the lease, its renewal, or extension; and

(6) to finance all or part of the cost of the research park including the purchase, construction, reconstruction, improvement, remodeling, addition to, extension, maintenance, equipment, and furnishing as permitted by law for the financing of self-liquidating projects by institutions of higher education.

Enacted by Chapter 167, 1987 General Session

**53B-17-505. City to provide services and facilities to research park -- Fees and charges -- Disallowance of special improvement district or special taxes.**

(1) The Salt Lake City Council shall provide police and fire protection and furnish, install, and maintain customary municipal services and facilities for street lighting, traffic control, sidewalks, curb, gutter, drainage, sewage disposal, and water supply to all areas of the research park established upon lands conveyed to the University of Utah under the patent.

(2) The services and facilities are to be furnished and provided as needed and

determined by the State Board of Regents subject to connection fees, use charges, and other service fees customarily assessed against similar persons, companies, or properties within the territorial limits of Salt Lake City.

(3) No special improvement district may be created or special taxes imposed with respect to the services and facilities provided under this section.

Enacted by Chapter 167, 1987 General Session

**53B-17-506. Agreements with Department of Transportation regarding research park roads.**

The Department of Transportation may enter into agreements with the University of Utah between regular sessions of the Legislature designating all or part of the roads within or adjacent to the research park as part of the state highway system.

Enacted by Chapter 167, 1987 General Session

**53B-17-601. Utah Museum of Natural History -- Traveling exhibits and Outreach Programs.**

(1) There is established at the University of Utah the Utah Museum of Natural History, where tangible objects reflecting the past, present, and continuing development of our natural history may be collected and displayed for educational and cultural purposes.

(2) (a) The museum shall make available to people throughout the state, through traveling exhibits and outreach programs, archeological and paleontological objects retrieved from the state of Utah.

(b) The museum shall provide professional expertise and assistance in the proper care of the archeological and paleontological collections from state lands as they are housed throughout the state.

(3) The museum shall submit an annual request to the Legislature to fund the ongoing costs of the programs authorized under Subsection (2) as part of its base budget.

Amended by Chapter 318, 1997 General Session

**53B-17-602. Acceptance of gifts.**

The University of Utah is authorized to receive gifts, contributions, and donations of all kinds, including tangible objects and specimens for the development of or display in the museum.

Enacted by Chapter 167, 1987 General Session

**53B-17-603. Curation and deposit of specimens.**

(1) For purposes of this section:

(a) "Collections" is defined as provided in Section 9-8-302.

(b) "Curation facility" means:

(i) the museum;

- (ii) an accredited facility meeting federal curation standards; or
- (iii) an appropriate state park.
- (c) "Museum" means the Utah Museum of Natural History.
- (d) "Repository" means:
  - (i) a facility designated by the museum through memoranda of agreement; or
  - (ii) a place of reburial.
- (e) "School and institutional trust lands" are those properties defined in Section 53C-1-103.

(2) The museum shall make rules to ensure the adequate curation of all collections from lands owned or controlled by the state or its subdivisions. The rules shall:

- (a) conform to, but not be limited by, federal curation policy;
- (b) recognize that collections recovered from school and institutional trust lands are owned by the respective trust, and shall be made available for exhibition as the beneficiaries of the respective trust may request, subject to museum curation policy and the curation facility's budgetary priorities;
- (c) recognize that any collections obtained in exchange for collections found on school and institutional trust lands shall be owned by the respective trust; and
- (d) recognize that if, at its discretion, the curation facility makes and sells reproductions derived from collections found on school or institutional trust lands, any money obtained from these sales shall be given to the respective trust, but the curation facility may retain money sufficient to recover the direct costs of preparation for sale and a reasonable fee for handling the sale.

(3) (a) The museum may enter into memoranda of agreement with other repositories located in and outside the state to act as its designee for the curation of collections.

(b) In these memoranda, the museum may delegate some or all of its authority to curate.

(4) (a) All collections recovered from lands owned or controlled by the state or its subdivisions shall be deposited at the museum, a curation facility, or at a repository within a reasonable time after the completion of field work.

(b) The museum shall make rules establishing procedures for selection of the appropriate curation facility or repository.

(c) The rules shall consider:

- (i) whether the permittee, authorized pursuant to Section 9-8-305, is a curation facility;

- (ii) the appropriateness of reburial;
  - (iii) the proximity of the curation facility or repository to the point of origin of the collection;

- (iv) the preference of the owner of the land on which the collection was found;
  - (v) the nature of the collection and the repository's or curation facility's ability and desire to curate the collection in question, and ability to maximize the scientific, educational, and cultural benefits for the people of the state and the school and institutional trusts;

- (vi) selection of a second curation facility or repository, if the original repository or curation facility becomes unable to curate the collections under its care; and

(vii) establishment of an arbitration process for the resolution of disputes over the location of a curation facility or repository, which shall include an ultimate arbitration authority consisting of the landowner, the state archaeologist or paleontologist, and a representative from the governor's office.

(d) The repository or curation facility may charge a curation fee commensurate with the costs of maintaining those collections, except that a fee may not be charged to the respective trust for collections found on school or institutional trust lands.

(5) The repository or curation facility shall make specimens available through loans to museums and research institutions in and out of the state when, in the opinion of the repository or curation facility:

(a) the use of the specimens is appropriate; and

(b) arrangements are made for safe custodianship of the specimens.

(6) The museum shall comply with the procedures of Title 63G, Chapter 3, Utah Administrative Rulemaking Act, regarding publication of its rules in the Utah State Bulletin and the Utah Administrative Code.

Amended by Chapter 382, 2008 General Session

**53B-17-701. Utah Museum of Fine Arts.**

(1) There is established at the University of Utah the Utah Museum of Fine Arts as:

(a) a state general and multicultural art museum; and

(b) a state institution charged with the broad responsibility of collecting and exhibiting, for the education and enrichment of its citizens, art and related objects from around the world from prehistoric times to the present.

(2) The museum shall:

(a) serve as a repository in Utah of the objects referred to in Subsection (1);

(b) collect and display tangible art objects that reflect the past, present, and continuing development of the visual arts in America and throughout the rest of the world;

(c) provide professional expertise and assistance in the proper care of the tangible art objects displayed at the museum; and

(d) engage visitors to the museum in discovering meaningful connections with the artistic expressions of the world's cultures by:

(i) acting as a responsible steward of the material legacy of the visual arts located at the Utah Museum of Fine Arts for the people of Utah;

(ii) serving as a teaching, learning, and research resource for the University of Utah, the state's greater educational community, and the general public;

(iii) promoting an open dialogue with visitors and the community about the role of visual arts in our society;

(iv) fostering and celebrating the diverse artistic expressions and accomplishments of the people of Utah and around the world;

(v) cultivating community partnerships and collaborations to ensure that the visual arts reach a broad spectrum of the general public; and

(vi) offering a wide range of experiences that will enable visitors to the museum to explore the variety of ways the arts can inform and enhance the human experience.

Enacted by Chapter 97, 2005 General Session

**53B-17-702. Acceptance of gifts.**

The University of Utah may receive gifts, contributions, and donations of all kinds, including tangible objects for the development of or display in the museum.

Enacted by Chapter 97, 2005 General Session

**53B-17-801. Title -- Definitions.**

(1) This part is known as "Rocky Mountain Center for Occupational and Environmental Health."

(2) As used in this part:

(a) "Affected populations" include:

(i) employees;

(ii) employers;

(iii) insurers;

(iv) professionals or professional organizations related to occupational and environmental health;

(v) government agencies; and

(vi) outside academic institutions.

(b) "Board" means the Rocky Mountain Center for Occupational and Environmental Health Advisory Board created in Section 53B-17-803.

(c) "Center" means the Rocky Mountain Center for Occupational and Environmental Health.

(d) "Director" means the director of the center.

(e) "University" means the University of Utah.

Enacted by Chapter 232, 2007 General Session

**53B-17-802. Rocky Mountain Center for Occupational and Environmental Health at the university.**

(1) There is established at the University of Utah the Rocky Mountain Center for Occupational and Environmental Health, to be an occupational health and safety center for education and research.

(2) The university shall operate the center in a manner so that the center is:

(a) eligible to be designated as an education and research center by the National Institute for Occupational Safety and Health in the United States Department of Health and Human Services; and

(b) a resource for affected populations to:

(i) improve workplace health and safety; and

(ii) contribute to economic growth and development in Utah and the surrounding region.

Enacted by Chapter 232, 2007 General Session

**53B-17-803. Advisory board created.**

(1) The university shall create an advisory board known as the "Rocky Mountain Center for Occupational and Environmental Health Advisory Board" to:

(a) promote occupational health and safety in Utah and the surrounding region;  
(b) promote the interests and mission of the center by advising the director on issues including:

(i) operation of the center as a multidisciplinary, state-of-the-art program at the university;

(ii) developing and maintaining state and institutional support;

(iii) emerging local or regional, occupational health and safety education and research needs;

(iv) continuing education and outreach to local and regional occupational health and safety professionals;

(v) coordinating with other local or regional entities that promote occupational health and safety in a manner that meets the needs of both employers and employees; and

(vi) grant requirements and renewal;

(c) advise the director on the expenditure by the center of public funds including:

(i) funds appropriated by the Legislature;

(ii) donations; and

(iii) federal or other grants; and

(d) develop recommendations for the long-term operation of the center consistent with Section 53B-17-802.

(2) (a) The board shall consist of no fewer than 15 and no more than 18 persons who represent the affected populations.

(b) The university shall establish reasonable bylaws for the operation of the board including:

(i) the selection of board members;

(ii) quorum requirements; and

(iii) voting requirements.

(3) The board shall elect a board chair and vice chair from among the board members by a vote of the members.

(4) (a) The board shall have an executive committee consisting of:

(i) the board chair;

(ii) the board vice chair; and

(iii) three other board members, selected by the board chair in consultation with the director.

(b) The executive committee shall meet at least quarterly to advise the center and to plan for board meetings.

(5) The board chair, in consultation with the director, shall call board meetings at least two times each calendar year.

(6) The board and the executive committee are subject to Title 52, Chapter 4, Open and Public Meetings Act.

(7) A board member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:

(a) Section 63A-3-106;

- (b) Section 63A-3-107; and
- (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

Amended by Chapter 286, 2010 General Session

**53B-17-804. Reporting.**

(1) (a) The board, through the director and the board chair, shall provide by no later than July 1 of each year, a written report to the president of the university.

(b) The report required by this Subsection (1) shall:

- (i) summarize the center's activities and accomplishments in the immediate proceeding calendar year; and
- (ii) provide information and the board's advice and recommendations on how the state, university, and the center can:
  - (A) improve workplace health and safety; and
  - (B) contribute to economic growth and development in Utah and the surrounding region.

(2) (a) If the center receives in a fiscal year money from the Eddie P. Mayne Workplace Safety and Occupational Health Funding Program provided for in Section 34A-2-701, the center shall provide a written report:

- (i) by no later than the August 15 following the fiscal year;
- (ii) to the Office of the Legislative Fiscal Analyst;
- (iii) for review by the Higher Education Appropriations Subcommittee;
- (iv) that accounts for the expenditure of money received in the fiscal year by the center from the Eddie P. Mayne Workplace Safety and Occupational Health Funding Program including impact on workplace safety in Utah; and
- (v) that includes a preliminary statement as to money the center will request from the Eddie P. Mayne Workplace Safety and Occupational Health Funding Program for the fiscal year following the day on which the report is provided.

(b) A report provided under this Subsection (2) meets the reporting requirements under Subsection 34A-2-701(5)(b)(i)(B).

Amended by Chapter 43, 2013 General Session

**53B-17-805. Appointment and removal of director.**

(1) Subject to the advice and consent of the senior vice president for health sciences and after consultation with the individuals listed in Subsection (2), one of the following specified by the senior vice president for health sciences shall appoint and may remove the director:

- (a) the chair of the department within the university where the center resides; or
- (b) a designee of the senior vice president for health sciences.

(2) The appointment or removal of the director under Subsection (1) may be made only after consultation with:

- (a) the senior vice president for academic affairs or the dean of the graduate school;
- (b) the dean of the school of medicine or the dean's designee;



- (c) the dean of the college of engineering or the dean's designee; and
- (d) the board through the board chair.

Enacted by Chapter 232, 2007 General Session

**53B-17-901. Admissions -- Increase authorized.**

(1) Beginning with the 2013-14 school year and subject to Subsection (2), the University of Utah School of Medicine may increase the number of students admitted by 40 students for a total of 122 students admitted annually.

(2) Beginning with the 2013-14 school year, no fewer than 82% of the students admitted annually shall:

(a) meet the qualifications of a resident student for the purpose of tuition in accordance with:

(i) Section 53B-8-102;

(ii) State Board of Regents policy on determining resident status; and

(iii) University of Utah policy on determining resident status;

(b) have graduated from a public or private college or university located in Utah;

or

(c) have graduated from a public or private high school located in Utah.

Enacted by Chapter 302, 2013 General Session